

**CONSOL ENERGY™**

Consolidation Coal Company

P.O. Box 566

Sesser, IL 62884

(618) 625-2041

February 20, 2007

Pamela Grubaugh-Littig
Utah Division of Oil, Gas and Mining
Coal Program
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

Refer to Confidential 02200007
file in 0150015.2007.
for additional information

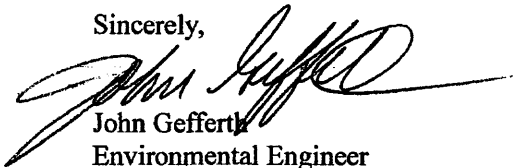
Re: Emery Deep Mine Permit C/015/015
Amendment to MRP (1st North Federal Lease Incidental Boundary Change, deficiency response, archeo
site forms)

Dear Mrs. Grubaugh-Littig:

Enclosed please find an executed C1 form and C-2 form, and accompanying archeology site forms. They were accidentally omitted from the archeology report that was submitted last week. There is a place keeping page in Chapter XIII, Appendix XIII-3 (Class 3 Cultural Resource report) as these should be placed in the confidential file.

If you have any questions concerning this request, please call me at (618) 625-6850.

Sincerely,



John Geffert
Environmental Engineer

CC: Karl Houskeeper – DOGM-Price Field Office

Attachments

JAG/jag emboundrev2.defres.archeositeform.doc

Greening
C/015/0015
#2749

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Consolidation Coal Company

Mine: Emery Mine

Permit Number: 015/015

Title: 1st North Federal Lease boundary addition

Description, Include reason for application and timing required to implement:

Additional boundary to facilitate 1st North mining (deficiency response Arche site forms)

2/16/07

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- | | |
|---|---|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice publication? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies? |
| <i>Explain:</i> _____ | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2) |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities? |

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

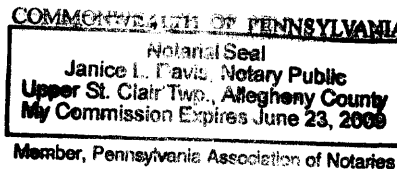
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Jonathan M. Pachter
Print Name Jonathan M. Pachter

Jonathan M. Pachter 2/15/07
Sign Name, Position, Date Director, Permitting and Water Resources

Subscribed and sworn to before me this 15th day of February, 2007

Janice L. Davis
Notary Public
My commission Expires: June 23, 2009
Attest: State of Pennsylvania } ss:
County of Allegheny



For Office Use Only:

Assigned Tracking
Number:

Received by Oil, Gas & Mining

RECEIVED

FEB 16 2007

DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: Consolidation Coal Company

Mine: Emery Mine

Permit Number: 015/015

Title: 1st North Federal Lease boundary addition deficiency responses (Archeo site forms)

2/16/07

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

[illegible]

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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MONTGOMERY
ARCHAEOLOGICAL
CONSULTANTS

Box 219, 322 East 100 South, Moab, Utah 84532 (435) 259-5764 Fax (435) 259-5608

February 14, 2007

Dr. Matthew T. Seddon
Deputy State Historic Preservation Officer
300 South Rio Grande
Salt Lake City, UT 84101

Dear Dr. Seddon:

Enclosed please find a copy of the report entitled "Cultural Resource Inventory of Consol Energy's Three Emery Mine Exploration Parcels, Emery County, Utah (Township 23S, Range 6E, Sections 21, 22, 26, 27, 28, and 29)." The inventory resulted in the documentation of eight new sites (42Em3833 through 42Em3840) of which none are recommended eligible to the NRHP. Based on these findings, a recommendation "No Historic Properties Affected" is proposed for this undertaking pursuant to Section 106, CFR 800.

If you have any questions or comments please call me.

Sincerely,

Keith Montgomery

Keith R. Montgomery
Principal Investigator

cc: Mr. John Gefferth, CONSOL Energy, Inc., Sesser, IL
Mr. Richard White, EarthFax Engineering, Inc., Midvale, UT

RECEIVED

FEB 16 2007

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